

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1.-5. (Canceled.)

6. (Currently Amended) An oral device comprising:

a mouthpiece member, the mouthpiece member being of a resilient material and compliant to the contours of the teeth of the wearer;

a tube member, ~~the tube member being affixed at a first (anterior) end,~~ to the mouthpiece member and extending rearward towards the oral cavity of the wearer, the tube member having a first, anterior end and a second, posterior end; and

~~a palate member, member adapted to be adjustable in length independently of any other element, the palate member extending from a~~ adjustably affixed to the tube member and extending from the second (posterior) posterior end of the tube member and then angled upwards having an upwardly inclined portion and ending with a declined downward extending portion, the palate member being adjusted in position to cause the downward extending portion which maintains to maintain contact with the soft palate of the wearer, ~~the second end of the tube member being opposite the first end of the tube member; and~~

~~an attachment member, the attachment member being attached to the mouthpiece in at least one location;~~

whereby the tube member defines an opening which allows for the free transfer of air between the oral cavity of the wearer and the environment.

7.-11. (Canceled.)

12. (Currently Amended) An oral device comprising:

a mouthpiece member, the mouthpiece member being of a resilient material and compliant to the contours of the teeth of the wearer;

a tube member, the tube member having a first, anterior end and a second,

posterior end and being affixed to the mouthpiece member and extending rearward towards the oral cavity of the wearer;

a soft palate member adjustably affixed to the tube member and having a first (anterior) and second (posterior) end, the first end of the soft palate member extending rearward from ~~[[a]]~~ the second end of the tube member and having an upwardly inclined portion and the second end of the soft palate member ending with a downward extending portion, and operable, independently of the tongue member, to maintain upward pressure against the soft palate of the wearer, the second end of the soft palate member having a declined portion the soft palate member being adjusted in position to ensure the downward extending portion maintains upward pressure against the soft palate of the wearer; and

a tongue member, ~~the tongue member~~ adjustably affixed to the tube member and extending rearward from the second end of the tube member and ending in a portion that is angled downward and extends downward to follow the shape of the back of the tongue, the tongue member being adjusted in position and operable, independently of the palate member, to maintain downward pressure against the tongue of the wearer and reach a rear area of the tongue, the palate member and tongue member being adjustable in position independent of each other;

~~and an attachment member, the attachment member being attached to the mouthpiece member in at least one location and operable to secure the oral device within the oral cavity of the wearer;~~

whereby the tube member defines an opening, the opening allowing for the free transfer of air between the oral cavity of the wearer and the environment.

13.-14. (Canceled.)

15. (Currently Amended) The oral device of claim 12 ~~wherein the soft palate member extends rearward past the teeth of the wearer and through the oral cavity of the wearer, and is adapted to be adjustable in length so as to engage and lift the soft palate~~ 12, further comprising an attachment member attached to the mouthpiece member in at least one location and operable to secure the oral device within the oral cavity of the wearer.

16. (Currently Amended) The oral device of claim 12 wherein the tongue member is adapted to be adjustable in length so as to extend from the second end of the tube member rearward past the teeth of the ~~wearer~~, wearer along the top of the tongue of the wearer, ~~then curved downwards to maintain contact with the tongue~~ tongue of the wearer.

17. (Currently Amended) The oral device of claim ~~[[12]]~~ 15 wherein the attachment member is comprised of a resilient material.

18.-20. (Canceled.)

21. (New) The oral device of claim 6, further comprising an attachment member attached to the mouthpiece in at least one location and operable to secure the oral device within the oral cavity of the wearer.

22. (New) The oral device of claim 12, wherein the tongue member is configured to inhibit rearward movement of the tongue.

23. (New) An oral device comprising:
a mouthpiece member, the mouthpiece member being of a resilient material and compliant to the contours of the teeth of the wearer;
a tube member having a first, anterior end and a second, posterior end, the tube member being affixed to the mouthpiece member and extending rearward towards the oral cavity of the wearer;
a soft palate member adjustably affixed to the tube member and having a first, anterior end and a second, posterior end, the first end of the soft palate member extending rearward from the second end of the tube member and having an upwardly inclined portion and the second end of the soft palate member ending in a downward extending portion, the soft palate member having a slot disposed therein for adjusting a position of the soft palate member in cooperation with a screw to be received by the tube member, the soft palate

member being adjusted in position to cause the downward extending portion to maintain upward pressure against the soft palate of the wearer; and

a tongue member adjustably affixed to the tube member and extending rearward from the second end of the tube member a length sufficient to reach a rear area of the tongue and ending in a portion that is angled downward and extends downward to follow the shape of the back of the tongue, the tongue member having a slot disposed therein for adjusting a position of the tongue member in cooperation with a screw to be received by the tube member to cause the tongue member to maintain downward pressure against the tongue of the wearer, the positions of the palate member and tongue member being adjustable independent of each other;

whereby the tube member defines an opening, the opening allowing for the free transfer of air between the oral cavity of the wearer and the environment.

24. (New) The oral device of claim 23, wherein the soft palate member further comprises a substantially horizontal portion between the upwardly inclined portion and the downward extending portion.

25. (New) The oral device of claim 23, further comprising an attachment member attached to the mouthpiece member in at least one location and operable to secure the oral device within the oral cavity of the wearer.